

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 21-CR-088-JFH**

**ROBERT TAYLOR BRAGG,**

**Defendant.**

**OPINION AND ORDER**

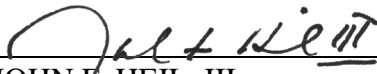
Before the Court is a Motion for Leave to Dismiss Without Prejudice (“Motion”) filed by the United States of America (“Government”). Dkt. No. 60. The Government filed a supplement to its Motion as directed by the Court. Dkt. No. 62. The Government requests leave to dismiss the indictment [Dkt. No. 2] without prejudice as to Defendant Robert Taylor Bragg (“Defendant”) to allow Oklahoma authorities to regain custody of Defendant pursuant to his prior judgment and sentence. Dkt. No. 60 at 1; Dkt. No. 62 at 2.

Under Fed. R. Crim. P. 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10<sup>th</sup> Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). The Court concludes that dismissal of the charge against Defendant is not contrary to the public interest, nor is it for an improper purpose. The Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s Motion for Leave to Dismiss Without Prejudice [Dkt. No. 60] is GRANTED and the Indictment [Dkt. No. 2] is dismissed without prejudice as to Defendant Robert Taylor Bragg.

IT IS FURTHER ORDERED that Defendant Robert Taylor Bragg is released to state custody.

Dated this 21st day of April 2023.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE